

07.08.2023
(D/L 59 & 61)
Ct. No.29
Allowed
(SKB)

CRM (A) 2814 of 2023
With
CRM (A) 2816 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with New Town P.S. Case No.27 of 2023 dated 01.02.2023 under Sections 379/467/468/471/419/34 of the Indian Penal Code.

In the matter of : Smt. Pushpa Sarkar

... petitioner in
CRM(A) 2814 of 2023

And

In the matter of : Smt. Shibani Debnath and others

... petitioners in
CRM(A) 2816 of 2023

Mr. Kamal Das,
Ms. Shweta Singh

... for the petitioner(in both cases)

Mr. Imran Ali,
Ms. Debjani Sahu

... for the State in CRM(A) 2814 of 2023

Mr. Ranabir Roy Chowdhury,
Mr. Sandip Chakraborty

... for the State in CRM(A) 2816 of 2023

1. As both these applications for anticipatory bail arise out of the same transaction, they are taken together for disposal by this common order with the consent of the learned counsel for the parties.
2. Heard the learned Counsel for the parties.
3. The petitioner in CRM (A) 2814 of 2023 is the maidservant of the husband of the informant.

4. Petitioners in CRM (A) of 2816 are not related to the family in any manner whatsoever. It is fairly submitted by learned counsel for the State that the names of the petitioners in CRM(A) of 2816 of 2023 do not transpire from the record of the case diary. It is fairly submitted at the Bar that the present transaction is an outcome of property dispute between the husband and wife and they are also now living as husband and wife though separately.
5. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, nature of evidence and substantial progress in investigation, it is directed that each of the petitioner shall be released on bail by the Arresting Officer in the event of their arrest in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
6. Accordingly, the prayer for the anticipatory bail in both the case is allowed.
7. Within 21 days from today petitioners are directed to appear before the I.O. along with a server copy or certified copy of this order.
8. The application being CRM(A) 2814 of 2023 and CRM(A) of 2816 are disposed of.
9. The Arresting Officer is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)